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How to bring rationality to the Army Corps of Engineers

By JOHN M. BARRY

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Someone once said that a crisis is a terrible thing to waste.

Hurricane Katrina was a crisis that has created a real opportunity to bring some rationality to the way we spend tens of billions of dollars on water projects in this country so we can protect millions of Americans whose lives are at risk.

The problem is that we have no overall policy for setting priorities on water projects. The need for this has been evident since at least the 1993 Mississippi River flood, but nothing has been done.

The answer is to create a kind of *deus ex machina*, an independent commission to leapfrog the political process and define a water policy to manage flood control and development.

Indeed, our approach to water policy up to now has made about as much sense as Alice's trip through wonderland.

Consider that because of an executive order signed by President Reagan in 1983, the Army Corps of Engineers can take only economic development into account in its cost-benefit analyses of proposed projects. The value of a life - or of 10,000 lives - is not part of the equation, nor is the catastrophic damage resulting from any major flood.

Or consider that the United States protects most areas only against a flood likely to come every 100 years.

Yet a person born today has a better than 50% chance of experiencing a flood that will exceed that standard and a 7.5% chance of experiencing a 1,000-year flood.

It may make sense to insure an individual building against a 100-year flood, but it makes no sense to build levees, as we do, that would protect an entire city such as Sacramento against that standard.

(The Netherlands and Japan protect their residents against a 10,000-year flood - and worry that it is not enough.)

But these are mere symptoms and fixing them would solve little. The real problems run deep.

One is the intrusion of the White House and Congress into corps decision-making. Another lies within the structure of the corps itself.

Finally, there is the notion that, as one corps official told me, "all water is local," which leads to a persistently narrow focus on individual projects rather than entire systems.

All these flaws came together in New Orleans to create a perfect storm that exposed the weaknesses of our water policy.

Although hurricane protection was authorized after Betsy hit the city in 1965, it was never finished, partly because the Office of Management and Budget slashed corps funding requests and partly because Louisiana's congressional delegation put a higher priority on projects with greater economic payoff.

When flood control did get addressed, the unintended consequences of 1980s pork reform undermined it. The reform required local interests to share project costs. In New Orleans, local officials saved money by thwarting a flood-control project the corps wanted and having Congress force the corps to build the floodwalls that failed during Katrina.

But in building those floodwalls, the corps itself failed, despite warnings. During Katrina, the floodwalls collapsed in the face of a storm they were supposed to withstand.

When outside contractors submitted the initial floodwall design in the 1980s, Army Corps engineers questioned its safety - but allowed construction to begin. A separate corps study predicted precisely how the walls would fail, but it went unread. Then a contractor sued the corps, warning that the soil was too weak to support the floodwalls as designed.

In 1998, the corps won the lawsuit - and apparently only lawyers reviewed the claim. Part of the corps problem may be its move to a business model, replacing engineers with program managers who often lack engineering expertise.

What, then, is the solution? Some recommend privatizing the corps or separating it from the Pentagon. That would be a serious mistake.

The corps has unique and extraordinary capabilities; it can build anything from sewer systems to power plants and, as Afghanistan and Iraq have demonstrated, that capacity needs to be in the military.

Privatization would not address the OMB or Hill problems and, by giving local officials more control, would make it even harder to integrate projects affecting large areas. Notes retired Gen. Gerald Galloway, author of a highly praised study of the 1993 Mississippi River flood: "We've been talking about basin planning and integration since the 1920s, but we continue to fund individual projects."

A far better idea would be to create what I would call a Water Engineering Board, which would define national water policy, set priorities, integrate projects and apply peer review to proposals.

It might, for example, demand that the corps bring hundreds of miles of Mississippi River levees up to grade and reject expenditures on new flood-control projects that will spur dangerous development - such as that being planned outside Sacramento on a site 20 feet below sea level.

The board could review Corps of Engineers decisions during the public comment period, so as not to delay projects. And just by identifying priorities, it could force Congress to address them, at least before money is spent on less important plans. A commission might even be set up in such a way as to limit the choices Congress makes.

There is a precedent for this. When the Pentagon needed to close domestic military bases, it knew that it would face guerrilla war in Congress over each proposed closing, and that the victors would be determined not by the national interest but by which members of Congress had the most power. So it created the Base Realignment and Closure Commission. Congress still has a say, but it can only accept or reject a package of recommendations.

There is another precedent as well. Much of the impetus for addressing pandemic influenza has come from the scientific community. Now it's time for another part of the scientific community - and for the public, as well - to demand action to prevent disaster.

If you think this proposal sounds like just some bureaucratic shuffle, try telling that to the people in New Orleans or those who endured the Mississippi flood of 1993.

John M. Barry is author of "Rising Tide: The Great Mississippi Flood of 1927 and How It Changed America." This article, which first appeared in The Washington Post, is adapted from his 2006 Abel Wolman Distinguished Lecture at the National Academy of Sciences.

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